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Security Council

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Note by the Secretary-General

The Secretary-General has the honour to transmit to the Security Council the second quarterly report of the Executive Chairman of the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC), which is submitted in accordance with paragraph 12 of Security Council resolution 1284 (1999) of 17 December 1999 (see annex).

00-62297 (E) 280800

Annex

Second quarterly report[a] of the Executive Chairman of the United Nations Monitoring, Verification and Inspection Commission under paragraph 12 of Security Council resolution 1284 (1999)

Introduction

1. The present report, which is submitted in accordance with paragraph 12 of Security Council resolution 1284 (1999), covers the activities of the United Nations Monitoring, Inspection and Verification Commission (UNMOVIC) in the period from 1 June to 31 August 2000.

College of Commissioners

2. The second meeting of the College of Commissioners took place on 23 and 24 August 2000. In addition to the members of the College, observers from the International Atomic Energy Agency (IAEA) and the Organization for the Prohibition of Chemical Weapons (OPCW) attended. The Chairman opened the second meeting and, in the course of his introductory remarks, he reported on the results of the first UNMOVIC training course and on recruitment. He introduced discussion papers on operating procedures under a reinforced system of ongoing monitoring and verification and on a draft action plan for the resumption of activities in Iraq.

3. In response to a request that had been made at the first session of the College, the Commissioners also had before them an informal paper on the experience of the United Nations Special Commission (UNSCOM) in respect of the modalities for the inspection of "sensitive sites". Papers were circulated and introduced by one Commissioner on the issue of sampling and by another on the use of satellite imagery.

4. The Commissioners had an exchange of views regarding procedures applied, and to be applied, for operations in the field, including, in particular, for "sensitive sites". Inter alia, the need for guidelines and standard operating procedures that would especially assist Chief Inspectors in the conduct of their responsibilities was stressed. It was agreed that the secretariat of UNMOVIC would continue consideration of operating procedures which would be reverted to at the next meeting of the College. The Commissioners discussed a draft action plan for the resumption of activities in Iraq. They also discussed sampling procedures and agreed that a further paper on this subject would be prepared by the secretariat, taking account of the observations made by the Commissioners. After discussion, the Chairman indicated that the paper on imagery would be further studied by the UNMOVIC secretariat.

5. In accordance with paragraph 5 of resolution 1284 (1999), the College of Commissioners was consulted on the contents of the present report. The College set 27 to 29 November 2000 as the dates for its next meeting.

Recruitment

6. One of the main activities of the Commission has been the further recruitment of staff for UNMOVIC. Individuals have been selected for all of the senior positions of the Commission in New York. The complement of headquarters-based core staff of the various divisions and the Administrative Service is almost filled. As of 31 August, the total number of people holding positions as Professional staff of the Commission is 42. In keeping with the aim of broad geographic representation, the number of nationalities is 20. Interviews also continued to identify staff who will be recruited for headquarters or put on the roster for use in the field when operations start again. Such individuals will also attend the second UNMOVIC training course.

7. In further recruitment, the Executive Chairman will continue to be guided by the terms of Security Council resolution 1284 (1999) and the organizational plan (S/2000/292 and Corr.1) approved by the Council on 13 April 2000 (see S/2000/311).

Training

8. In resolution 1284 (1999), the Security Council requested the Executive Chairman to arrange for the provision of high-quality technical and cultural training for UNMOVIC personnel. The first UNMOVIC training programme was held from 11 July to 10 August. Forty-four persons, encompassing some 19 nationalities, took part. Trainees were given general lectures on the past work of UNSCOM, the origins of UNMOVIC, its mandate, including the legal framework of the Council's resolutions and decisions, the Commission's rights and Iraq's obligations. The trainees had courses covering the scope of Iraq's proscribed weapons programmes, dual-use technologies and discipline specific training (chemical, biological, ballistic missile and export/import) including monitoring and inspection techniques. The course also covered operational health and safety issues. In accordance with paragraph 6 of resolution 1284 (1999), trainees were also provided with cultural training, including the history, economy, politics and society of Iraq. Cultural training also covered regional, social and religious themes. Those lectures were provided by Columbia University academics. The Commission stands in gratitude to all of the lecturers who gave their time without fee, and also to the Government of the United States of America which provided facilities and personnel for health and safety training as well as site visits, likewise free of charge. Preparations are under way for the second training course, which is planned to be held in France from 7 November to 8 December.

9. With the completion of the first UNMOVIC training course and the recruitment of a sufficient number of professional and trained core staff and the number of trained professionals on the roster, the Commission could plan and commence a number of activities in Iraq which would be necessary to prepare for monitoring, verification and inspection envisaged by the Security Council.

Premises

10. The Executive Chairman has continued his contacts with the Permanent Representative of Bahrain to the United Nations concerning the establishment of a

field office there for the use of UNMOVIC and the International Atomic Energy Agency (IAEA). Negotiations are being actively pursued, involving UNMOVIC, IAEA and the United Nations Office of Legal Affairs, to arrive at a mutually acceptable text of a field office agreement.

11. At UNMOVIC headquarters in New York, the limited office space available to a growing staff remains a severe problem and, if continued, will adversely affect the working environment and proper implementation of the tasks of the Commission. The Administrative Service continues to seek office space near the headquarters building to alleviate overcrowding in the premises of the Commission.

Ongoing activities

12. The Commission's staff have begun a systematic and thorough review of the Commission's databases with a view to creating a single, secure, central system, which would also be capable of being accessed from the Commission's premises in Baghdad. In addition, Commission staff have been reassessing and evaluating the archives taken over from UNSCOM. Staff have started examining inspection procedures with a view to defining appropriate operational procedures to be applied under the reinforced system of ongoing monitoring and verification. UNMOVIC staff are examining the procedures followed by UNSCOM to determine their applicability for the future. Inspection plans for the reestablishment of the baseline are being prepared. Staff are also looking at the formats for Iraq's monitoring declarations to see if they should be revised.

13. Pursuant to Security Council resolution 1051 (1996) of 27 March 1996, the Export/Import Joint Unit continues to receive notifications from States and international organizations of exports to Iraq of dual-use goods subject to the provisions of that resolution. The Government of Iraq has not provided UNMOVIC with any notifications or other mandated declarations during the period under review.

Notes

[a] The Commission's first quarterly report was issued as document S/2000/516 of 1 June 2000.

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Letter dated 25 August 2000 from the Permanent Representative of the United Republic of Tanzania to the United Nations addressed to the President of the Security Council

I have the honour to forward to you the communiqué of the Eleventh Arusha Regional Consultative Summit on Burundi which was held in Tanzania on 19 July 2000 (see annex).

I should be grateful if the present letter and its text could be circulated as a document of the Security Council.

(*Signed*) Daudi N. **Mwakawago**
Ambassador

00-62311 (E) 280800

Annex to the letter dated 25 August 2000 from the Permanent Representative of the Republic of Tanzania to the United Nations addressed to the President of the Security Council

Press communiqué of the Eleventh Arusha Regional Consultative Summit on Burundi, held on 19 July 2000

1. At the invitation of President Yoweri Kaguta Museveni of the Republic of Uganda and President Benjamin William Mkapa of the United Republic of Tanzania, Chairman and Vice Chairman of the Regional Initiative for Burundi respectively, Presidents Daniel T. Arap Moi of the Republic of Kenya, Frederick J. T. Chiluba of the Republic of Zambia, Pierre Buyoya of the Republic of Burundi, Prime Minister Meles Zenawi of the Republic of Ethiopia and H.E. Dr. Donat Kaberuka, Minister of Finance and Planning representing Major General Paul Kagame, President of the Republic of Rwanda, met at Arusha, Tanzania, on 19 July 2000.

2. Also participating in the Summit were H.E. Salim Ahmed Salim, Secretary-General of the Organization of African Unity and Ambassador Berhanu Dinka, the United Nations Secretary-General's Special Representative for the Great Lakes Region.

3. The Consultative Summit was briefed by the Facilitator of the Burundi Peace Negotiations, H.E. Nelson R. Mandela, on the progress of the negotiations. The Summit noted with satisfaction that the negotiations have reached a very advanced and encouraging stage. In this regard, the Summit commended the Facilitator, members of the Facilitation Team and the Burundian negotiating parties whose efforts and commitments have made the progress possible.

4. The Summit met separately with leaders of the Burundian Negotiating Parties and called upon them to redouble their efforts and commitment to the negotiations in the spirit of give and take so as to resolve all outstanding differences and reach an agreement as soon as possible.

5. The Summit commended the countries of the Great Lakes Region and the international community for their dedication to the search for peace in Burundi. Furthermore, it called upon the international community, particularly the United Nations, the Organization of African Unity and donor countries, to continue lending material and moral support to the negotiations, especially at this crucial stage when an agreement is within reach, and to prepare to support the process of implementation once the peace agreement is signed.

6. At the conclusion of its deliberations, the Summit expressed its appreciation to President Benjamin William Mkapa, the Government and the people of the United Republic of Tanzania, for hosting the Summit and for the cordial reception and hospitality accorded to all delegations who attended the Summit.

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Letter dated 29 August 2000 from the Permanent Representative of the Democratic Republic of the Congo to the United Nations addressed to the President of the Security Council

On instructions from my Government, I have the honour to transmit to you herewith the position of the Government of the Democratic Republic of the Congo on the Lusaka Ceasefire Agreement (S/1999/815, annex).

My Government, which calls for full respect for the Agreement on the part of all signatories, draws the attention of the Security Council to section V of the document annexed hereto, which reaffirms the active support of the Democratic Republic of the Congo for the deployment of the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC).

I request you to have this letter and its annex circulated as a document of the Security Council.

(*Signed*) André **Mwamba Kapanga**
Ambassador
Permanent Representative

00-62465 (E) 290800 290800

Annex to the letter dated 29 August 2000 from the Permanent Representative of the Democratic Republic of the Congo to the United Nations addressed to the President of the Security Council

Position of the Government of National Security following the Summit of Heads of State of the Southern African Development Community and Heads of State and Leaders of Movements signatory to the Lusaka Agreement, held at Lusaka on 14 and 15 August 2000

I. At the Lusaka Summit, which brought together the heads of State of the Southern African Development Community and the heads of State and leaders of the movements signatory to the Lusaka Agreement of 10 July 1999, the Government of National Security demonstrated that:

- It has respected the Lusaka Agreement since 10 July 1999;
- It was in favour of a genuine inter-Congolese dialogue with a view to settling the political problem that gave rise to the conflict between certain armed factions and the Government;
- It was in favour of a form of deployment of MONUC forces conducive to the swift re-establishment of peace in the Democratic Republic of the Congo, subject to a number of precautions prompted by the memory of our past cooperation with the United Nations and recent difficulties experienced by certain fraternal countries that have had to resort to the good offices of the United Nations.

The Government also demonstrated that the other parties to the agreements have consistently violated them since 10 July 1999, in particular by:

- Postponing their signature by a month and thus disrupting the start of the timetable for the implementation of the agreements;
- By making major territorial conquests both in Equateur province and in the Kasaï provinces;
- By perpetrating a series of massacres of unarmed civilian population groups;
- By systematically plundering the natural wealth of the Democratic Republic of the Congo;
- By implementing far-reaching political and administrative change, of both an institutional and a territorial nature.

The Government of National Security concluded that these mass, systematic and repeated violations of the Lusaka agreements by the other parties were to blame for the failure and blocking of the agreements.

II. Despite our clear and objective arguments, and instead of seeking the deep-rooted reasons for the agreements being blocked, the Lusaka Summit made a point of repeating, like a litany, that the Lusaka agreements must be respected. There was even a tendency that became apparent at the Summit to lay the blame for the blocking of the agreements on the Democratic Republic of the Congo, by focusing excessively on such a small detail as who the facilitator

was to be, and by distorting the facts regarding the attitude of the Government of National Security towards MONUC.

The Summit, which was completely out of touch with reality, totally concealed the manifest violations of the Lusaka agreements, which have been denounced by the Democratic Republic of the Congo, and contented itself with proclaiming that the Lusaka agreements should be upheld.

III. The Government of National Security, refusing to allow itself to be trapped in this impasse, which is prejudicial to the swift re-establishment of peace desired by the entire population of the Democratic Republic of the Congo, realizes that the Lusaka agreements have long constituted a subterfuge for perpetuating the presence of the aggressors on our territory. The Government therefore calls for the revision of the agreements for the following reasons:

1. The Lusaka agreements, signed on 10 July 1999, were intended to settle the problem of an internal war in which certain States were involved as parties. Security Council resolution 1304 (2000) and Order No. 116 of the International Court of Justice have in the meantime established that it was indeed a matter of a war of aggression, naming Rwanda and Uganda as aggressors. Consequently, the mechanism established for settling an internal dispute has proved ill-suited, and an appropriate way of settling an international conflict between States is called for.

2. The Lusaka agreements were signed, on behalf of the insurgents, by 50 leaders. Subsequently, the insurgency disintegrated. There were military clashes between factions, and the principal leaders decided to abandon the insurgency. Most of the leaders in question now acknowledge that an insurgency in fact never existed and that they were manipulated by Uganda and Rwanda as a front for an operation of territorial conquest, political undermining and economic exploitation. They decided not to lend their support any longer to this masquerade that is casting a tragic shadow over our nation.

IV. The Government of National Security therefor concludes that the Lusaka agreements make sense now only if the new factors resulting from the Kisangani war and the consequent Security Council resolutions are integrated into them. The Government also believes that the clarification of the conflict in the Democratic Republic of the Congo provided by resolution 1304 (2000) means that the war of aggression — waged by Rwanda, Burundi and Uganda against the Democratic Republic of the Congo — must be separated out from the political conflict between the Government and a number of armed Congolese factions.

To solve this problem, the Government proposes direct talks, on the one hand, between the Democratic Republic of the Congo and the three aggressor countries, and on the other hand, between the Government and the Congolese insurgents. As in the case of the action taken to bring to an end a number of wars elsewhere in the world, such talks could take place under the auspices of an international body whose probity, objectivity and integrity would be such as to reassure all participants.

V. Pending the swift implementation of these proposals for peace and regional stability, the Government of National Security has decided to cut back the

legitimate precautionary measures taken thus far with respect to MONUC, as regards both the status and movements of MONUC troops. The following action has been taken in that connection:

1. MONUC aircraft may now land directly in Kinshasa, without transit through Brazzaville or another airport near Kinshasa being required;

2. With regard to MONUC troop movements, the requirement regarding prior authorization for all flights has been replaced by a requirement just for notification to be addressed to a senior official on the lead team of the general government commission responsible for MONUC affairs;

3. With regard to MONUC troop deployment, the Government wishes to point out that it has at no time prohibited the deployment of MONUC forces in the territories under its control. It has merely been of the view that the forces in question should be assigned to locations where they would be likely to have an opportunity to observe any cease-fire violations that might take place, that is to say, to conflict zones. The Government and MONUC have therefore agreed that a small unit of MONUC troops should be deployed in Kinshasa for the sole purpose of protecting MONUC headquarters. However, the troops in question may carry weapons only within MONUC facilities. The Government of National Security has also agreed to the deployment of the Senegalese contingent in Mbandaka, of the Pakistani contingent in Kananga and Kisangani and of the Moroccan contingent in Kindu.

4. The Government will inform the officer in charge of MONUC of the location of the building where the MONUC headquarters and logistical services are to be set up in the city of Kinshasa.

5. Security for MONUC aircraft will be provided by a special National Police detachment assigned to N'Djili airport for that purpose.

Kinshasa, 26 August 2000